

1135 N. Branciforte Ave
Santa Cruz, CA 95062

Rm 9208

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November 19, 1998

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Chairman William Kennard
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

OFFICE OF THE SECRETARY

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re: RM-9208 and Low Power FM

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JAN 11 1999

Dear Mr. Kennard:

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY


It is my understanding that the Commission is close to making some decision concerning the creation of a LPFM or Micro Radio Service. I fully endorse the creation of such a service as outlined in RM-9208. I have been researching the emergence of micro radio since 1993 and have found the arguments for such a service to be compelling. With rapid media expansion and deregulation, community-based radio is in serious trouble.

The proliferation of unlicensed FM stations in the U.S. is totally out of proportion to anything that has occurred since the regulation of broadcasting began. The reasons for this are many (too many to go into here), but it is not simply some fad or the sudden availability of inexpensive equipment. Moreover, after studying the current interdiction efforts of the FCC towards micro radio, I feel I can safely say that an accommodating course would be in order. A protracted effort to eradicate or even slow down the emergence of such community stations with the agencies current resources is doomed to failure. My manuscript, "FCC Enforcement Difficulties with Unlicensed Micro Radio," which will be published in an upcoming issue of the *Journal of Broadcasting and Electronic Media*, analyzes the situation and bears out this conclusion.

The NAB has argued that "pirates just want to be pirates" and will not seek coverage under a new service; rather, they would continue to operate illegally. Realistically, there has always been and will always be pirate radio. However, micro radio is not traditional pirate radio. The national network that emerged to support the micro radio movement is the primary reason for the LPFM explosion. This community consists of many different ideologies and philosophies. A vast majority of those involved in micro radio feel that they want to serve their communities first and foremost and that "dodging the cops" is a huge waste of time and resources. The indication is compliance with a reasonable micro radio service scheme would be high.

I urge you to support cooperation with members of the micro radio community to forge a non-commercial Micro Radio Service that allows the low cost access that the people of America are demanding. Failure to come to an equitable compromise will mean the continuation of a costly, protracted struggle and the increasing possibility that one of several pending suits will wind up in trial. Rather than run the risk of having a judge invalidate all or part of the current regulatory scheme, it would be better to move proactively towards a negotiated solution. The petition from the Committee for Democratic Communication is not unreasonable. Please feel free to contact me for further information or assistance.

Sincerely,


Ted M. Coopman
Rogue Communication

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